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60,137-207; 136-3032-U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Eugene A. Helmetsie

Serial Number: 10/774,339

Filed: February 6, 2004

Group Art Unit: 3751

Examiner: Le, Huyen D

Title: Configurable Modular Shower Surround Features

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

BEST AVAILABLE COPYREQUEST FOR RECONSIDERATION

Dear Sir:

This paper is responsive to the final office action mailed on December 21, 2006. Please reconsider the rejections in view of the following remarks.

REMARKS

The Applicant wishes to thank the Examiner for the detailed remarks. Claims 13-15, 18, 19, and 21-24 stand rejected and are pending in the application.

Claims 14, 15, 18, 19, and 21-24 were rejected under 35 U.S.C. §102(b) as being anticipated by *Armstrong*. Although the §102 rejection lists claims 14 and 15, Applicant notes that the Examiner has failed to mention or consider these claims or the features of these claims in the body of the rejection. Accordingly, the rejection of claims 14 and 15 should be withdrawn.

Regarding independent claim 19, Applicant disagrees that *Armstrong* discloses that the horizontal shelf slots comprise at least partially arcuate openings, as claimed. The figures in *Armstrong* do not appear to show enough detail to support the Examiner's conclusion that the openings are at least partially arcuate, and the description does not describe the shape of the